

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

Tyra J. Bethea,

Plaintiff,

v.

Case No. 2:17-cv-761

**Commissioner of Social Security,
Defendant.**

**Judge Michael H. Watson
Magistrate Judge Vascura**

ORDER

On June 20, 2018, United States Magistrate Judge Vascura issued a Report and Recommendation (“R&R”) recommending that Plaintiff Tyra J. Bethea’s (“Plaintiff”) motion for attorney’s fees be granted in part and that the Court award Plaintiff attorney’s fees in the amount of \$4,587.50. R&R 1, ECF No. 20.

The R&R notified the parties of their right to file objections to the R&R pursuant to 28 U.S.C. § 636(b)(1) and Federal Rule of Civil Procedure 72(b). *Id.* at 7–8. The R&R further specifically advised the parties that the failure to object to the R&R within fourteen days would result in a waiver of the right to *de novo* review by the District Judge and waiver of the right to appeal the decision of the District Court. *Id.* The deadline for filing such objections has passed, and no objections were filed.

Having received no objections, the R&R, ECF No. 20, is **ADOPTED**.

Plaintiff's motion for attorney's fees, ECF No. 17, is **GRANTED IN PART**, and

Plaintiff is awarded **\$4,587.50** in fees.

The attorney's fee award satisfies all of Plaintiff's claims for fees, costs, and expenses under 28 U.S.C. § 2412. Any fees paid belong to Plaintiff and can be offset to satisfy any pre-existing debt that Plaintiff owes the United States, pursuant to *Astrue v. Ratliff*, 560 U.S. 586 (2010). If counsel for the parties can verify that Plaintiff owes no pre-existing debt subject to offset, Defendant should direct that the award be made payable to Plaintiff's attorney pursuant to the Equal Access to Justice Act assignment duly signed by Plaintiff.

IT IS SO ORDERED.


MICHAEL H. WATSON, JUDGE
UNITED STATES DISTRICT COURT